



G. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment.

All Interested Parties

Notification of Joint Public Notice

Enclosed are public notices issued by the SCDHEC Office of Ocean and Coastal Resource Management and the U.S. Army Corps of Engineers. All interested parties are allowed 30 days for major developments and 15 days for minor developments after receipt of the public notices to file written comments to the OCRM pertaining to the applications. Only those comments received within this period must be reviewed by the OCRM in processing the permit application. Any person wishing notification of the initial OCRM decision on any specific public notice must make written request within the designated review period for that public notice.

APPLICANT

City of N. Myrtle Beach

PUBLIC NOTICE NUMBER

2008-00731-3IH

SUSPENSE DATE

June 1, 2008

May 2, 2008



C. Earl Hunter, Commissioner

Promoting and protecting the health of the public and the environment.

**Public Notice
Clarification**

The City of North Myrtle Beach, P/N# 2008-00731-3IH

The U. S. Army of Engineers placed the above project on public notice on April 25, 2008. OCRM did not place this project on public notice at that time because additional information was required by OCRM. This notice is to clarify that OCRM is placing the above referenced project on public notice, May 2, 2008 and that the correct suspense date to have comments to OCRM is June 1, 2008.

Comments will be received on this public notice until June 1, 2008, at the OCRM Myrtle Beach Office: 927 Shine Avenue, Myrtle Beach, SC 29577. For further information, please contact the project manager, Tanitra S. Marshall, 843-238-4528.

SH May 2, 2008

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
1949 Industrial Park Road, Room 140
Conway, South Carolina 29526

and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N # 2008-00731-3IH

25 April 2008

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

THE CITY OF NORTH MYRTLE BEACH
1018 2nd AVENUE SOUTH
NORTH MYRTLE BEACH, SOUTH CAROLINA 29582

for a permit to construct a recreational pier in

HOG INLET / WILLIAMS CREEK

at a location described as Russell Burgess Coastal Preserve, 408 36th Avenue North, City of North Myrtle Beach, Horry County, South Carolina (Latitude 33.83372; Longitude -78.63191)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, TUESDAY, 27 MAY 2008,

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of constructing a 10' x 20' pierhead attached to high ground by a 6' x 317' walkway. In addition, a 6' x 10' stair section will be constructed adjacent to the walkway to allow public access to the marsh. The purpose of the proposed work is to build a recreational pier for public use.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

REGULATORY DIVISION
Refer to: P/N # 2008-00731-3IH

25 April 2008

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1949 Industrial Park Road, Room 140
Conway, South Carolina 29526**

The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the South Carolina Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.048 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards,

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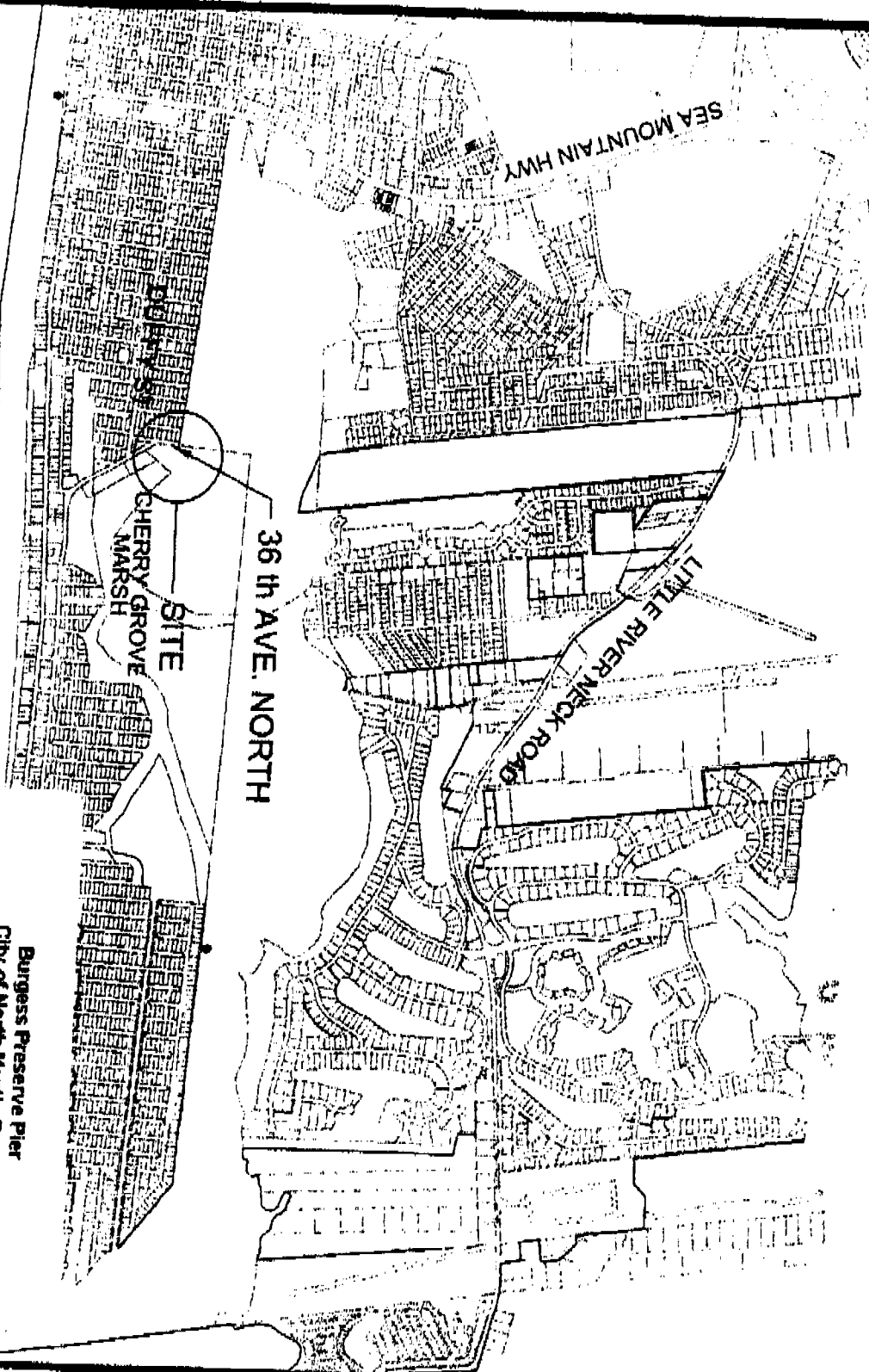
flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact Rob Huff at (843) 365-1726.

SCDHEC-OCRM
PROJECT Manager
Taniitra Marshall
843-238-4528

VICINITY MAP



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ATLANTIC OCEAN

Burgess Preserve Pier
City of North Myrtle Beach

SAC# 2008-00731-31H

Date: February 5, 2008

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